

Re: 10/053,402; 11/506,383; and 12/609,486



MEYERTONS
HOOD
KIVLIN
KOWERT
& GOETZEL

A PROFESSIONAL CORPORATION

PATENTS, TRADEMARKS, COPYRIGHTS & UNFAIR COMPETITION

1120 S. CAPITAL OF TEXAS HIGHWAY
BUILDING 2, SUITE 300
AUSTIN, TEXAS 78746
TELEPHONE (512) 853-8800
FACSIMILE (512) 853-8801

FAX

To: Examiner Karen Tang

From: Luiz von Paumgarten

Fax: (571) 272-3116

Pages: 9, including this cover page

Phone: (571) 273-3116

Date: 3/25/2011

Re: 10/053,402; 11/506,383; and 12/609,486

Phone: 512-853-8863

Dear Examiner Tang,

Attached is an agenda for the telephone interview scheduled for 2:30 PM EST on Tuesday, March 29, 2011. The agenda is provided for discussion purposes only.

Best Regards,

Luiz von Paumgarten
Reg. No. 52,330
(512) 853-8863
lvonpaumgarten@intprop.com

THIS FACSIMILE TRANSMITTAL AND THE DOCUMENTS ACCOMPANYING THIS FACSIMILE TRANSMITTAL CONTAIN CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL NAMED ABOVE. IF YOU ARE NOT THE INTENDED RECIPIENT YOU ARE NOTIFIED THAT THIS COMMUNICATION MAY BE SUBJECT TO THE ATTORNEY-CLIENT OR WORK-PRODUCT PRIVILEGE AND THAT THE DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE (COLLECT) TO ARRANGE FOR RETURN OF THE DOCUMENTS. RECEIPT BY ANYONE OTHER THAN THE INTENDED RECIPIENT IS NOT A WAIVER OF ANY ATTORNEY-CLIENT OR WORK-PRODUCT PRIVILEGE.

Re: 10/053,402; 11/506,383; and 12/609,486

Agenda for Telephone Interview of March 29, 2011

I. Overview of Pending Cases

1. Brief discussion of Figure 1 (Attachment A).

II. Overview of *Baru* (7,028,252)

1. Brief discussion of Figures 1A and 1B (Attachments B and C).
2. Point #1: In *Baru*, system 100 (i.e., “server”) “continually collects” content from content provider 108 (i.e., local computer). The content is therefore “pre-collected,” that is, it is retrieved from content provider 108 and stored in a “local store” or “universal database 152” independently from a request by customer 110 (i.e., “remote computer”). Upon receiving a request for content from customer 110, system 100 retrieves that content from its local store; not from content provider 108.
 - i. “Broadly, the system 100 is operated by an information delivery agency and serves to continually collect electronic data from the content providers 108 via the Internet 102 and/or additional conveyances 103. Responsive to customer requests, the system 100 selectively retrieves data from local stores in areas of interest to the inquiring customers, formats the data, and transmits the data to customer's playback devices such as 104, 109, 111. As a specific example, the data may be transmitted in audio form to the callers' telephones 104 via telephone networks such as 106. As explained below, the system 100 can rapidly convey information to customers because the underlying data is pre-collected” *Baru*, 6:25-40 (emphasis added).
 - ii. “During the playback session, the system 100 retrieves the customer's pre-stored content preferences and proceeds to identify information already present in the universal database that pertains to those particular content preferences.” *Baru*, 24:28-35 (emphasis added); FIG. 7A; *see also id.* at 25:45-49; FIG. 7B.
 - iii. “[W]ith the caller's content preferences, the session server 156 uses these preferences to retrieve information (step 708) from the universal database 152 in satisfaction of these preferences. In the illustrated example, the session server 156 retrieves (1) text content stored in the universal database 152, and (2) pointers to digital audio files stored in the database 152.” *Baru*, 24:64-25:3 (emphasis added).

Re: 10/053,402; 11/506,383; and 12/609,486

3. Point #2: In "obtaining information from content providers," system 100 uses a "self-scheduled reminder" to start downloading information. *Baru* states that its content provider 108 may also initiate transfers to system 100 according to its own schedule. In neither case, however, does one entity poll the other to determine whether a third entity (e.g., customer 110 or a remote computer) has issued a request.

- i. "[S]tep 402 waits for a "download event" to occur. A download event may occur at the content processor 160 and/or at a content provider 108, and triggers downloading information from a content provider 108 to the content processor 160. Download events may occur periodically, randomly, on a non-periodic schedule, or another basis.

"At the content processor 160, for example, a download event may constitute a self-scheduled reminder to start downloading information from one or more content providers particular to that reminder. These reminders may be scheduled periodically (such as every hour, day, etc.), randomly, non-periodically (e.g., whenever a news alert is received), or according to another desired schedule." *Baru*, 17:53-66.

- ii. "Download events may be initiated by the content providers 108 as well, such as when a content provider self-initiates data transfer to the content processor 160 according to its own schedule." *Baru*, 18:10-13.
- iii. "In the case of a download event at the content processor 160, contact in step 404 is initiated by the content processor 160. For instance, the content processor 160 may initiate contact (step 404) with the content provider 108 in order to request that content provider 108 to start downloading data, engage in handshaking or other tasks related to establishing communications, etc. In the case of a download event at the content provider 108, contact in step 404 is initiated by that content provider 108." *Baru*, 18:22-30.

III. Overview of *Alley* (5,845,282)

1. Brief discussion of Figure 4 (Attachment C).

Re: 10/053,402; 11/506,383; and 12/609,486

IV. Illustrative claim pending in Application No. 10/053,402

1. A method comprising:

a local computer periodically polling a server for task requests stored on the server and generated by a remote computer distinct from the local computer;

in response to said periodically polling, the local computer receiving one of said task requests, wherein at least a portion of said one of said task requests comprises a request for directory information of the local computer;

the local computer transmitting the directory information to the server;

in response to said periodically polling, the local computer receiving a subsequent one of said task requests, wherein at least portion of said subsequent one of said task requests comprises a request for a file stored on the local computer and identified in the file directory information;
and

in response to receiving said subsequent one of said task requests, the local computer transmitting the file to the server.

V. Illustrative claim pending in Application No. 11/506,383

21. An article of manufacture comprising a non-transitory computer readable storage medium having program instructions stored thereon that, in response to execution by a local computer system, **cause the local computer system to implement:**

a task processor that, during operation, periodically polls a server for task requests originated by a remote computer system distinct from the local computer system, wherein in response to receiving one of said task requests specifying file directory information of the local computer system, the task processor causes the file directory information to be transferred to the server, and wherein in response to receiving a subsequent one of said task requests specifying a file stored on the local computer system and identified in the file directory information, the task processor causes the requested file to be transferred to the server; and.

a transmission control protocol/Internet protocol stack coupled to the task processor that, during operation, enables communications between the local computer system and the server over a network.

Re: 10/053,402; 11/506,383; and 12/609,486

VI. Illustrative claim pending in Application No. 12/609,486

1. A method comprising:
 - a server periodically receiving polling messages from a local computer;**
 - the server receiving a request for directory information of the local computer from a user operating a remote computing device distinct from the local computer;**
 - the server transmitting the request for the directory information to the local computer in response to receiving one of the polling messages;**
 - the server receiving the directory information from the local computer;
 - the server transmitting the directory information to the remote computing device;
 - the server receiving a file request for a file stored in on the local computer and identified in the directory information, wherein the file request is originated by the user operating the remote computing device;
 - the server transmitting the file request to the local computer in response to receiving a subsequent one of the polling messages; and
 - the server receiving the file from the local computer.

LVP

Re: 10/053,402; 11/506,383; and 12/609,486

ATTACHMENT A

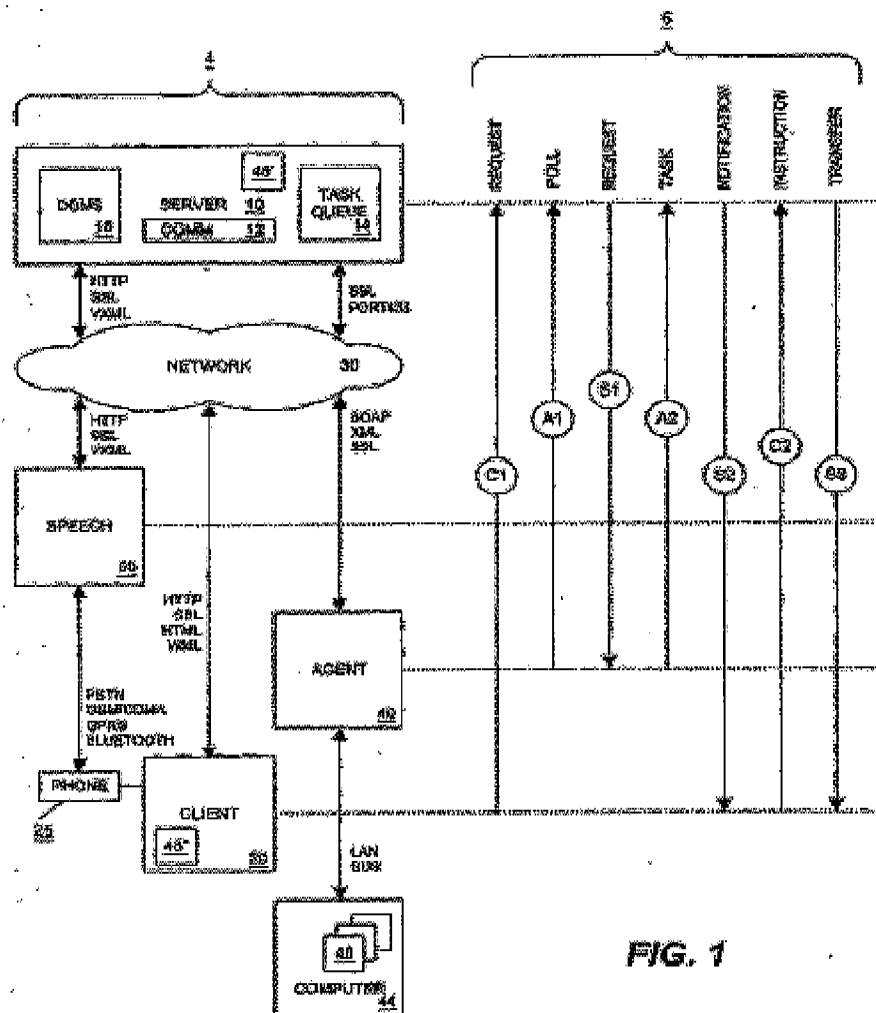
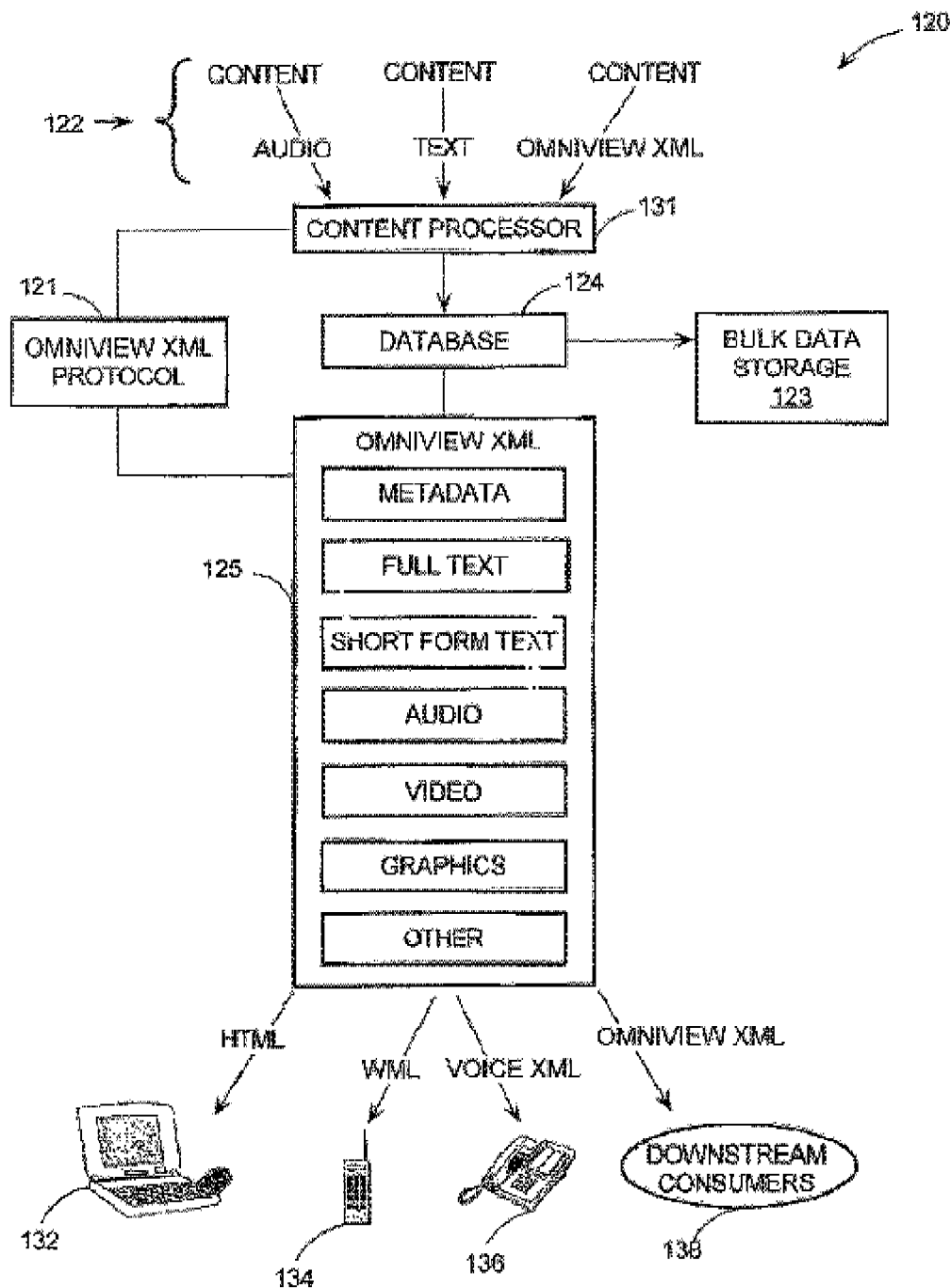


FIG. 1

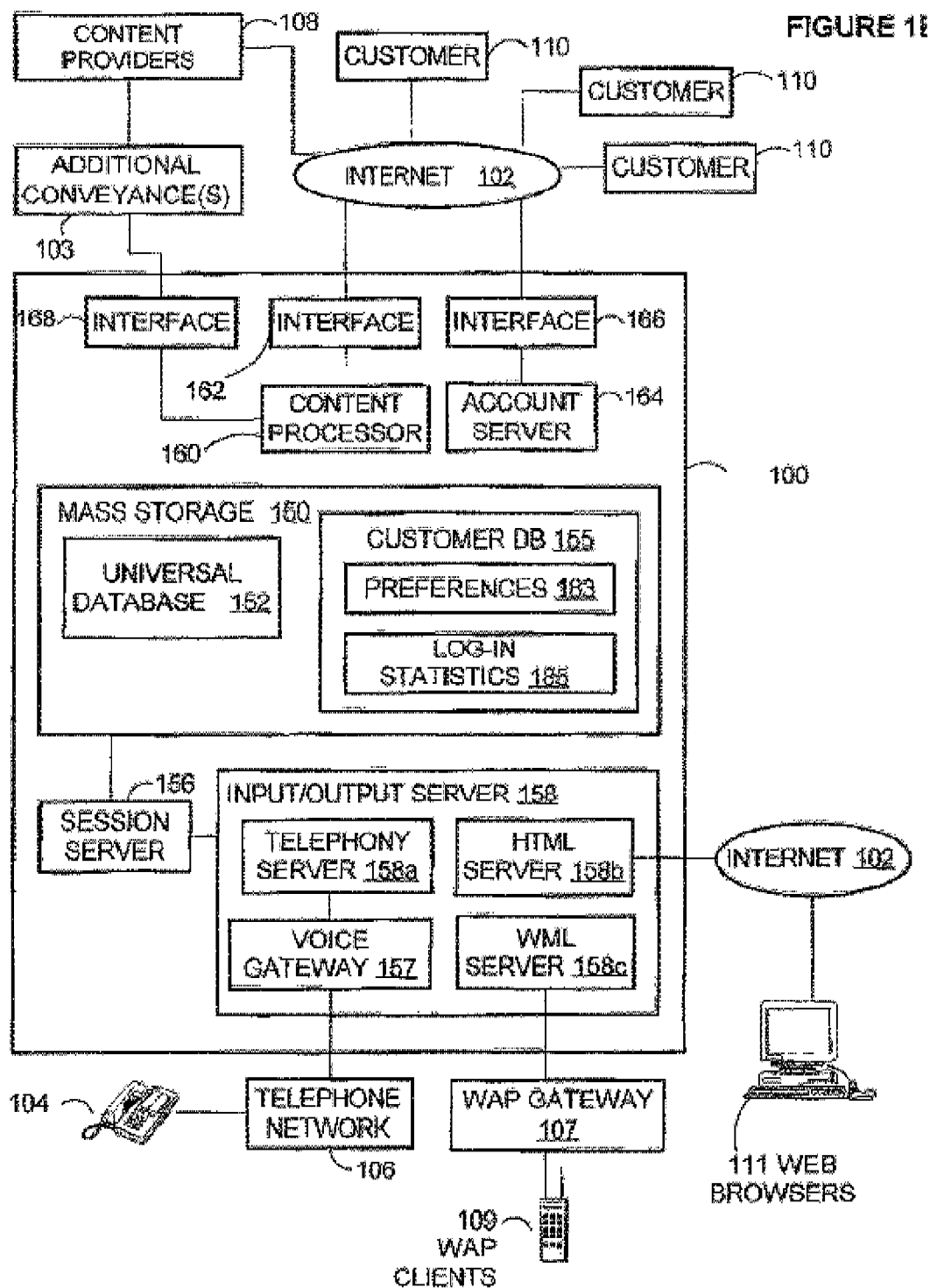
Re: 10/053,402; 11/506,383; and 12/609,486

ATTACHMENT B

FIGURE 1A



Re: 10/053,402; 11/506,383; and 12/609,486

ATTACHMENT C

Re: 10/053,402; 11/506,383; and 12/609,486

ATTACHMENT D

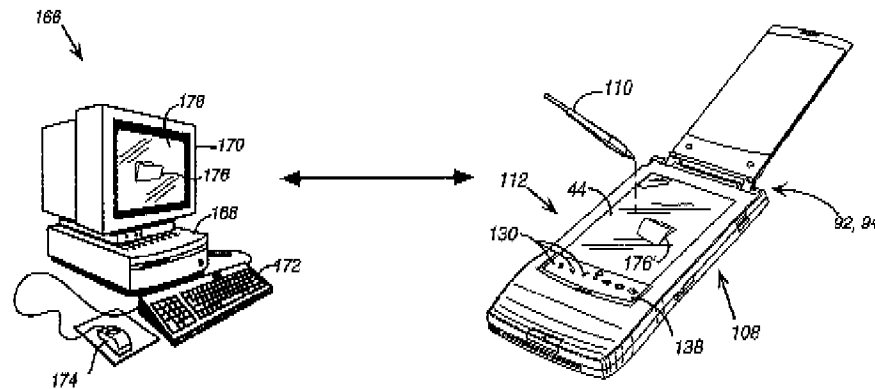


Figure 4